APPENDIX

1. Article V, Section 4, entitled "Supreme Court", Subsection (2), entitled "Jurisdiction", Constitution of the State of Florida:

> "Appeals from district courts of appeal may be taken to the supreme court, as a matter of right, only from decisions initially passing upon the validity of a state statute or a federal statute or treaty, or initially construing a controlling provision of the Florida or federal constitution. The supreme court may review by certiorari any decision of a district court of appeal that affects a class of contitutional or state officers, or that passes upon a question certified by the district court of appeal to be of great public interest, or that is in direct conflict with a decision of another district court of appeal or of the supreme court on the same point of law, and may issue writs of certiorari to commissions established by law."

2. Florida Appellate Rule 1.3 defining the term "rendition":

> "Rendition" of a judgment, decision, order or decree means that it has been reduced to writing, signed and made a matter of record, or if recording is not required then filed. A paper is deemed to be recorded when filed with the clerk and assigned a book and page number. Where there has been filed in the lower court a timely and proper motion or petition for a new trial, for a rehearing, or other timely post-trial motion or petition permitted by the Rules, the decision, judgment, order or decree shall not be deemed rendered until such motion or petition is disposed of."

3. § 48.08, Florida Statutes, 1961, entitled "Notice of suit, form":

"Upon filing the sworn statement, and otherwise complying with the foregoing requirements, the plaintiff shall be entitled to have issued by the clerk or judge, not later than sixty days after the filing of the sworn statement, a notice of suit which notice shall set forth:

(1) The names of the known natural defendants; the names, status and description of the corporate defendants; a description of the unknown defendants who claim by, through, under or against a known party which may be described as 'all parties claiming interests by, through, under or against (name of known party)' and a description of all other unknown defendants which may be described as 'all parties having or claiming to have any right, title or interest in the property herein described';

(2) The nature of the suit or proceeding in short and simple terms (but neglect to do so shall not be construed as jurisdictional);

(3) The name of the court in which the suit or proceedings were instituted and an abbreviated title of the case;

(4) The description of real property, if any, proceeding against."

4. § 48.09, Florida Statutes, 1961, entitled "Notice of suit, return day."

"The notice of suit shall require the defendant to file his answer with the clerk of the court and to serve a copy thereof upon the plaintiff or plaintiff's attorney, whose name and address shall appear in, or be annexed to, said notice not later than the date fixed in said notice, which date shall be not less than twenty-eight nor more than sixty days after the first publication of the notice."

5. § 48.10, Florida Statutes, 1961, entitled "Notice of suit, publication, proof and recording thereof."

"(1) All such notices of suit shall be published once during each week for four consecutive weeks (four publications being sufficient) in some newspaper published in the county where the court is located, said newspaper to meet such requirements as may be prescribed by law for such purpose.

(2) Proof of such publication shall be made by affidavit of either the owner, publisher, proprietor, editor, business manager, foreman or other officer or employee of such newspaper having knowledge of such publication, which affidavit shall set forth or have attached a copy of said notice, shall set forth the dates of each publication and otherwise comply with the requirements of law, and shall be recorded in the chancery order book or minute book of the court wherein the suit or proceeding is pending, unless a certificate thereof be made as provided in § 48.12."

6. § 48.13, Florida Statutes, 1961, entitled "Notice of suit, mailing of."

"If the residence of any defendant or other party to be served by publication shall be stated in the sworn statement with more particularity than the name of the state or country in which the defendant resides, the clerk, or the judge if there be no clerk of such court, shall mail a copy of such notice by United States mail, with postage prepaid, to each such defendant within ten days after the making of the notice, the date of mailing to be noted on the docket. A copy of the complaint shall be mailed to nonresident defendants."